6

TRANSCRIPT OF RECORD.

EXHIBITS.

SUPREME COURT OF THE UNITED STATES.

OCTOBER TERM, 1921.

No. 160.

PACIFIC MAIL STEAMSHIP COMPANY, PETITIONER,

vs.

J. LUCAS.

ON WRIT OF CERTIORARI TO THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE NINTH CIRCUIT.

PETITION FOR CERTIORARI FILED OCTOBER 25, 1920.

CERTIORARI AND RETURN FILED JANUARY 6, 1921.

(27,952)

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JUDD & DETWEILER (INC.), PRINTERS, WASHINGTON, D. C., JULY 19, 1921.

1 No. 3425. United States Circuit Court of Appeals for the Ninth Circuit. Filed Dec. 18, 1919. F. D. Monckton, Clerk.

LIBELANT'S EX. 1.

J. Lucas Discharged Feb. 27, 1919, Improved.

L. E. H.

Sent to out patient office for further treatment.

2 No. 3425. United States Circuit Court of Appeals for the Ninth Circuit. Filed Dec. 18, 1919. F. D. Monckton, Clerk.

LIBELANT'S EX. 2.

Rates reasonable. European plan.

Honolulu, Feb. 27, 1919.

Mr. J. Lucis, Room No. 108.

The Blaisdell,

Newest, Coolest Hotel in Hawaii.

Fort Street Between Hotel & Beretania.

Telephone 1267.

Bills Payable in Advance.

Lodging from 2-27 to 2-28	1.50
Telephone	....
Sundries	....

Paid.

J. H. W.

3 No. 3425. United States Circuit Court of Appeals for the Ninth Circuit. Filed Dec. 18, 1919. F. D. Monckton, Clerk.

LB. 3.

Honolulu, T. H., March 3, 1919.

Mr. J. Locar.

The Majestic Hotel,

Sachs' Block,

Corner Fort and Beretania Streets.

Mrs. C. A. Blaisdell.

Rooms Payable in Advance.

Telephone 2744.

Room 220, Rent 1 week to March 7..... 4.00

Pd.

MAJESTIC HOTEL.
N. H.

4 No. 3425. United States Circuit Court of Appeals for the Ninth Circuit. Filed Dec. 18, 1919. F. D. Monckton, Clerk.

LIBELANT'S EX. 4.

Dr. George Herbert. Dr. St. D. G. Walters. Dr. Grover A. Batten.

Offices: 1067 Alakea Street, Honolulu.

Cable Address "Herb."

Mar. 8th, 1919.

To the physician attending Mr. Garrey J. Lucas.

DEAR SIR:

This is to certify that I have been attending Garrey J. Lucas, for about ten days past. He had just been discharged from the Queen's Hospital, after having been an inmate in that institution for 2 days. The Marine Hospital Physician there claimed that there was nothing the matter with him.

After an exhaustive examination I came to the conclusion that he was suffering from neurasthenia the result of an attack of malaria some time ago.

Exophthalmas which is noticeably present would indicate the possible presence of Graves Disease, but as there is no enlargement of the Thyroid Gland I have eliminated that aspect of his condition.

The treatment has been salicylate of soda & Nux Vomica after meals· he is slightly improved.

I remain,

Fraternally yours,

ST. D. GYNLAIS WALTERS.

5 No. 3425. United States Circuit Court of Appeals for the Ninth Circuit. Filed Dec. 18, 1919. F. D. Monckton, Clerk.

LIBELANT'S EX. 5.

Dr. Ernst Albrecht Victors,

San Francisco,

California.

May First, Nineteen Nineteen.

To whom it may concern:

Mr. J. Lucis has been under my care since March 21st.
He has been and still is incapable of following his vocation.

ERNST A. VICTORS.

Harry Lucas Cousin J. Lucas. Can find out from him where Lucas is. Address 1299 Golden Gate Ave. Chief Johnson now (May 24, 1919) on the Venezuela was not present when I signed off. Capt. Wamil there. July 1 there were purser the Depty. Com. & the man who was signed on in my place.

6 No. 3425. United States Circuit Court of Appeals for the Ninth Circuit. Filed Dec. 18, 1919. F. D. Monckton, Clerk.

LIBELANT'S EX. 6.

(Form No. 18—Consular.)

(January, 1917.)

Certificate of Discharge of Seaman.

American Consular Service.

Tampico, Mexico, Oct. 9, 1918.
(Place and date.)

Name of ship, Ardmore.
Official number, 212,964.
Port of registry, Bayonne, N. J.
Tonnage, 7,129 Gross.

Description of voyage or employment, Foreign.
Name of seaman, J. Leuces.
Place of birth, Greece.
Nationality, Greek. Age, 37 years.
Character, V. Good.
Ability, ——.
Capacity, Fireman.
Date of entry, Aug. 19/18. Date of discharge, Oct. 9/18.
Place of shipment, San Francisco, Cal.
Place of discharge, Tampico, Mexico.
Cause of discharge, Consul's decision.

I certify that the above particulars are correct, and that the above-named seaman was discharged accordingly.

C. H. LEBU,
Master.

J. LUCAS,
Seaman.

Given to the above-named seaman in my presence the day and year above written.

[Seal of American Consulate, Tampico, Mexico.]

DIGBY A. WILLSON,
Vice Consul of the United States of America.

(Here follow reproductions of pages 7-12, inclusive.)

Form 713

MUTUAL RELEASE

DEPARTMENT OF COMMERCE
BUREAU OF NAVIGATION
SHIPPING SERVICE

We, the undersigned, seamen on board the S. S. VENEZUELA,
on her late voyage from SAN FRANCISCO *to* MANILA, P. I.,
do hereby, each one for himself, by our signatures herewith given, in consideration of settlements made before the Shipping Commissioner at this port, release the master and owners of said vessel from all claims for wages in respect of the said past voyage or engagement, and I, master of said vessel, do also release each of the seamen signing said release from all claims, in consideration of this release signed by them.

Dated FEBRUARY 25, 1919 (SGD) G.W.YARDLEY, *Master.*

ATTEST as to said master and the seamen whose signatures appear below.

(SGD) J.I. ARCIA
Shipping Commissioner.

SEAMEN'S SIGNATURES.	STATIONS.	DATE WAGES COMMENCED. 1919	DATE OF THIS SETTLEMENT. 1919	WAGES PER MONTH.	TOTAL WAGES EARNED.	TOTAL DEDUCTIONS.	AMOUNT CASH RECEIVED ON THIS SETTLEMENT.
					2 00		
J. LU CAS	W.T.	2/17	2/25	75--	22 50	--	24 50

Sgt. 2 Guard

August 29, 1919.

I hereby certify the foregoing to be a true copy taken from the records of my office of the Mutual Release, Form 713, signed in my office February 25th, 1919 by J.Lucas, Water Tender and G.W. Yardley Master of the Steamship "Venezuela".

J. L. Garcia

Acting ~~U.S.~~ Shipping Commissioner

No 3475
UNITED STATES CIRCUIT COURT OF APPEALS
FOR THE NINTH CIRCUIT
FILED
DEC 18 1919
F. D. MONCKTON.
CLERK.

United States District Court
No. 16600.
Lucas vs P.M.S.S. Co.
Pltfs' Exhibit No A.
Filed Sept. 13, 1919
WALTER B. MALING, Clerk
By- Lyle P. Morse. Deputy Clerk

TREASURY DEPARTMENT,
U. S. PUBLIC HEALTH SERVICE.
Form 1946 B.
Ed. 25,000.—F. C., Mar. 17-17

BINDING SPACE. DO NOT WRITE HERE.

Station: Honolulu T.H. Name: J. Lucas Diagnosis: Myasthenia

Month.	2/26	2/26	2/27
Day of Disease.	1	2	3

Time of Day: M E M E M E

TREASURY DEPARTMENT,
PUBLIC HEALTH SERVICE.
Form 1946 a.

Port of Honolulu T. H.

CLINICAL REPORT.

OUTLINE.
In all cases obtain the following data:
FAMILY HISTORY.—Obtain general information.
PERSONAL HISTORY.—General health, habits, occupation, diseases of childhood, venereal history, rheumatism, gout, tuberculosis, malaria, enteric fever, etc.; previous similar attacks, previous injury (dates), complications and sequels.
PRESENT ILLNESS OR INJURY.—Disease—Time and mode of attacks; injury—time, part or parts, mode of production, symptoms (shock, deformity, impairment or loss of function, hemorrhage), ability to walk; other abnormal conditions—time and manner of occurrence, course, treatment previous to admission.
PHYSICAL EXAMINATION.—General appearance, eyes, ears, nose, throat, lungs, mucous membranes, tongue, heart, arteries, pulse, blood pressure, abdomen, bowels, liver, spleen, kidneys, skin, bones, joints, muscles, lymph nodes, nervous system, sexual organs.
TREATMENT.—Dietetic, medicinal, operative, etc. At end of treatment discuss etiology, pathology, prognosis, treatment, condition upon discharge.
Date clinical notes, prescriptions, etc.

2—878

Name, J. Lucas Admitted Feb 25, 1919

Age 37, Nativity- Greece.

Vessel S.S. "Venezuela"

Admitted to Ward 106, Queens Hospital at 4-54 P.M. Feb 25, 1919.

At 5. P.M. Feb 25, temp. was 98⅖ pulse 80 Respiration 20. At 8. P.M. temp. was 97⅘ pulse 74 and respiration 20.

7. P.M. House diet. Sod. Bromide XV.

7.30 P.M. Calomel III. 6m

8 P.M. Sod. Bromide XV 6m.

9 P.M. Resting comfortably.

10 P.M. Sleeping.

12 " " "

Feb 26, 1919 2nd day in hospital.

At 4. a.m. temp 97⅖ pulse 68 respiration 20.

" 6 a.m. mag Sul 45 c.c.

" 7.30 a.m. temp. 98 pulse 64, respiration 20.
House diet. Up and about.
Aspirin X 5 grains
Physical examination by Dr Hooper.

12. M. Complaining of slight headache

4 P.M. temp. 98⅖ pulse 78 respiration 20

8 P.M. Resting quietly.

TREASURY DEPARTMENT,
PUBLIC HEALTH SERVICE.
Form 1946 a.

Port of Honolulu, T. H.

CLINICAL REPORT.

Name, J. Lucas Admitted Feb 20, 1919

Feb 27, 1919 – 3rd day in hospital.

At 4 a.m. temp. 98.2 pulse 80, respiration 20
Slept well.

At 7.30 a.m. House diet.

" 8.00 a.m. temp 99, pulse 64, respiration 20
Aspirin X Gns.

9.30 a.m. Visited by Dr Stocker
Discharged
Improved.

Diagnosis Neurasthenia.

Sent to Out-patient Office for further treatment. Says he has pain in head and back of neck. Stomach always bothers him. Arm is very weak can hardly lift it. Leg to weak to walk on. Would like to have his blood examined and his stomach pumped out.

Examination: Negative.

OUTLINE.
In all cases obtain the following data:

FAMILY HISTORY.—Obtain general information.
PREVIOUS HISTORY.—General health; habits, occupation, diseases of childhood, venereal history, rheumatism, gout, tuberculosis, malaria, enteric fever, etc.; previous similar attacks; previous injury (date), complications and sequels.
PRESENT ILLNESS OR INJURY.—Time and mode of attack; injury—time, part or parts, mode of production, symptoms (shock, deformity, impairment or loss of function, hemorrhage), ability to walk; other abnormal conditions—time and manner of occurrence, course, treatment previous to admission.
PHYSICAL EXAMINATION.—General appearance, eyes, ears, nose, throat, lungs, mucous membranes, tongue, heart, arteries, pulse, blood pressure abdomen, bowels, liver, spleen, kidneys, skin, bones, joints, muscles, lymph nodes, nervous system, sexual organs.
TREATMENT.—Dietetic, medicinal, operative, etc. At end of treatment discuss etiology, pathology, prognosis, treatment, condition upon discharge.
Date clinical notes, prescriptions, etc.

2—678

A. B. C. Clinical Record.

FORM 1946 C.

Insert pin (O) here.

Name J. Lucas *Month* Feb 25, 1919.

EXAMINATION OF URINE.

Quantity passed in 24 hours .....

Specific gravity 1020

Reaction when passed at — *o'clock*

Reaction when examined at — *o'clock* acid

Color Amber *Odor* —

Sediment —

Do not fail to date each prescription and clinical note.

CHEMICAL EXAMINATION OF URINE MADE AT — O'CLOCK

Albumen —

Sugar —

Bile —

Blood Negative

Urea ..... *per cent* ..... *in 24 hours.*

Uric acid —

Chlorides —

Sulphates —

Phosphates —

Indican —

MICROSCOPICAL EXAMINATION OF URINE MADE AT ..... O'CLOCK

Casts —

Spermatozoids —

Epithelium V

Crystals —

Bacteria —

Amorphous deposits —

Binding Space. Do not write here.

EXAMINATION OF SPUTUM.

Character of sputum .....

Tubercle bacilli .....

Pneumococci .....

Other bacilli V

EXAMINATION OF BLOOD.

Number of red corpuscles .....

Number of white corpuscles .....

Hemoglobin ..... *per cent present by Von Fleischl hemometer.*

Hemoglobin ..... *per cent present by hematokrit* .....

Hemoglobin ..... *per cent present by chloroform-benzol test.*

Plasmodium .....

Other conditions of blood .....

TREATMENTS

This paper must not be used for other purpose than that of the clinical record.

GENERAL REMARKS.

.....

.....

Examined by ....., *Surgeon.*

Date .....

2—20

3425

Form 1618.

No. 1444

Port of HONOLULU, HAWAII

This is to certify that Capt. L. W. Goodley

of the Schr. Leonora has paid to the

Seaman, in settlement of wages, Twenty four 50/100 Dollars

$24.50

2-577

Shipping Commissioner.

No 3475

UNITED STATES CIRCUIT COURT OF APPEALS
FOR THE NINTH CIRCUIT
FILED
DEC 18 1919

F. D. MONCKTON,
CLERK.

United States District Court

No. 16600.

Lucas vs P.M.S.S. Co.

Pltf's Exhibit No C.

Filed Sept. 13, 1919

WALTER B. MALING, Clerk

Lyle P. Morse Deputy Clerk